

COPY

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

THE BALTIMORE AND OHIO CHICAGO)
TERMINAL RAILROAD COMPANY,)

Petitioner,)

v.)

CITY OF BLUE ISLAND, ILLINOIS;)
GRAND TRUNK WESTERN RAILROAD,)
INC.; ILLINOIS DEPARTMENT OF)
TRANSPORTATION; and INDIANA)
HARBOR BELT RAILROAD CO.,)

Respondents.)

Docket No: T03-0014

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Illinois Commerce Commission
RAIL SAFETY SECTION

Petition for an Order from the Illinois)
Commerce Commission allowing)
modification to the existing at-grade)
crossings and traffic control devices at)
Broadway Street (B&OCT MP 15.11,)
DOT 163-416-P, GTW MP 19.49,)
DOT 283-162-H) and construction of an)
additional mainline track thereby)
lengthening the existing at-grade crossings)
and requiring modification to the traffic)
control devices at Chatham Street)
(MP 14.40; DOT 163-413-U) and)
Western Avenue (MP 14.67,)
DOT 163-415-H).)

PETITION

NOW COMES Petitioner The Baltimore and Ohio Chicago Terminal Railroad
Company ("B&OCT"), by its attorneys, McGuireWoods LLP, and for its Petition to the
Illinois Commerce Commission respectfully states:

DOCKETED

1. Petitioner B&OCT is an Illinois company that is authorized to transact business in the State of Illinois and transacts business as a common carrier by railroad in interstate and intrastate commerce.

2. The City of Blue Island, Illinois ("Blue Island") is a municipal corporation organized and existing under the laws of the State of Illinois and has offices at 13051 South Greenwood Avenue, Blue Island, Illinois 60406.

3. Grand Trunk Western Railroad, Inc. ("GTW") is a Delaware corporation that is authorized to transact business in the State of Illinois and transacts business as a common carrier by railroad in interstate and intrastate commerce.

4. The Illinois Department of Transportation, Division of Highways ("IDOT") is an agency of the State of Illinois, has offices at 2300 East Dirksen Parkway, Springfield, Illinois 62764.

5. Indiana Harbor Belt Railroad Co. ("IHB") is an Indiana company that is authorized to transact business in the State of Illinois and transacts business as a common carrier by railroad in interstate and intrastate commerce.

6. B&OCT operates a double mainline track and related railroad facilities in a generally south to north direction through Blue Island.

7. B&OCT intends to construct a third mainline track. Construction of this track will require modification to the existing at-grade crossings at Broadway Street and their traffic control devices, and the lengthening of the existing at-grade crossings at Chatham Street and Western Avenue and modification to their respective traffic control devices. It is anticipated that the traveling public will benefit from the construction of the third mainline track by the reduction of crossing occupation.

8. Exhibit A is a location map showing the overall project scope.

BROADWAY STREET
(B&OCT MP 15.11, DOT 163-416-P)
(GTW MP 19.49, DOT 283-162-H)

9. Broadway Street is an east/west roadway located within the geographic boundaries of Blue Island and subject to the jurisdiction of IDOT. Presently, eight tracks, including B&OCT's existing double mainline track, traverse Broadway Street, creating at-grade crossings at B&OCT milepost 15.11, DOT Number 163-416-P; GTW milepost 19.49, DOT Number 283-162-H.

10. Including the existing double mainline track, B&OCT owns four of the tracks that presently cross Broadway Street at grade. B&OCT's corporate parent, CSX Transportation, Inc., operates, maintains and controls a fifth track that presently crosses Broadway Street at grade.

11. IHB operates two of the B&OCT tracks that presently cross Broadway Street at grade.

12. GTW owns the remaining three tracks that presently cross Broadway Street at grade.

13. The Broadway Street grade crossings currently have the following traffic control devices: the westernmost grade crossing is protected a pair of cantilevered automatic flashing light signals, gate warning devices and bells, and the other seven crossings are protected by a pair of cantilevered automatic flashing light signals and gate warning devices and three bells. The traffic control devices are currently maintained by GTW.

14. The average daily traffic ("ADT") over the Broadway Street crossing is approximately 7,250; and there are approximately 110 through-train movements daily over the Broadway Street crossings, with approximately 50 on the B&OCT operated crossings, approximately 50 on the IHB operated crossings and approximately 10 on the GTW operated crossings.

15. B&OCT intends to reconstruct its existing double mainline track at the Broadway Street crossings. As part of the reconstruction, B&OCT proposes to move the existing, easternmost cantilevered automatic flashing light signal and gate warning device further to the east, narrow the width of the crossings, construct medians and rehabilitate the roadway surface except for the crossing surfaces. Also, B&OCT may rehabilitate the crossing surface of its four tracks.

16. Exhibits B, C and D reflect the current and proposed Broadway Street crossings and the current and proposed traffic control devices.

17. The proposed modifications to the Broadway Street crossings should enhance public safety. Narrowing the crossings and installation of the medians will prevent the traveling public from passing other vehicles on the right side and from circumventing the gate warning device on the left side at the grade crossing.

18. B&OCT is of the opinion that the existing traffic control devices as modified in the manner reflected in Exhibits B, C and D, and the additional traffic control devices proposed in Exhibits B, C and D are sufficient to control traffic and to warn the traveling public of rail traffic that may traverse the Broadway Street crossings and that no traffic control devices in addition to those proposed are required.

CHATHAM STREET
(MP 14.40, DOT 163-413-U)

19. Chatham Street is a north/south roadway located within the geographic boundaries and subject to the jurisdiction of Blue Island. B&OCT's existing double mainline track traverses Chatham Street at approximately a 90° angle, creating at-grade crossings at milepost 14.40, DOT Number 163-413-U.

20. The Chatham Street grade crossings currently have the following traffic control devices: a pair of mast-mounted automatic flashing light signals and gate warning devices and one bell. The traffic control devices are maintained by B&OCT.

21. The ADT over the Chatham Street crossings is approximately 500; and there are approximately 50 through-train movements daily over the Chatham Street crossings.

22. Exhibit E reflects the current and proposed Chatham Street crossings and the current and proposed traffic control devices.

23. B&OCT's proposed third mainline track will extend across Chatham Street at the above-referenced at-grade crossing location, which will serve to lengthen the existing crossing over and across Chatham Street at milepost 14.40, DOT Number 163-413-U. B&OCT's proposed third mainline track will cross Chatham Street to the north of the existing double mainline track.

24. As part of the construction of the third mainline track, B&OCT proposes to acquire and extend the northern right of way further to the north to accommodate the new third mainline track and drainage.

25. As part of the construction of the third mainline track, B&OCT proposes to move the existing, north mast-mounted automatic flashing light signal and gate warning device further to the north.

26. B&OCT is of the opinion that the existing traffic control devices, as modified in the manner reflected in Exhibit E, are sufficient to control traffic and to warn the traveling public of rail traffic that may traverse the Chatham Street crossings and that no additional traffic control devices are required.

**WESTERN AVENUE
(MP 14.67, DOT 163-415-H)**

27. Western Avenue is a north/south roadway located within the geographic boundaries of Blue Island and subject to the jurisdiction of IDOT. B&OCT's existing double mainline track traverses Western Avenue at approximately an 85° angle, creating at-grade crossings at milepost 14.67, DOT Number 163-415-H.

28. The Western Avenue grade crossings currently have the following traffic control devices: a pair of cantilevered automatic flashing light signals and gate warning devices and one bell. The traffic control devices are maintained by B&OCT.

29. The ADT over the Western Avenue crossings is approximately 15,400; and there are approximately 50 through train movements daily over the Western Avenue crossing.

30. Exhibit F reflects the current and proposed Western Avenue crossings and the current and proposed traffic control devices.

31. B&OCT's proposed third mainline track will extend across Western Avenue at the above-referenced at-grade crossing location, which will serve to lengthen the existing crossing over and across Western Avenue at milepost 14.67, DOT Number 163-415-H. B&OCT's proposed third mainline track will cross Western Avenue to the north of the existing double mainline track.

32. As part of the construction of the third mainline track, B&OCT proposes to acquire and extend the northern right of way further to the north to accommodate the third mainline track and drainage.

33. As part of the construction of the third mainline track, B&OCT proposes to move the existing, north cantilevered signal and gate warning device further to the north.

34. B&OCT is of the opinion that the existing traffic control devices, as modified in the manner reflected in Exhibit F, are sufficient to control traffic and to warn the traveling public of rail traffic that may traverse the Western Avenue crossings and that no additional traffic control devices are required.

WHEREFORE, Petitioner, Baltimore and Ohio Chicago Terminal Railroad Company, prays that the Illinois Commerce Commission

(a) set the aforesaid matter before public hearing as may be required by law within 30 days or at the earliest possible date;

(b) enter an Order granting and authorizing modification to the Broadway Street crossings and their traffic control devices as proposed in the Petition and Exhibits B, C and D;

(c) enter an Order granting and authorizing the installation of the third mainline track at Chatham Street and the modification to its traffic control devices as proposed in the Petition and Exhibit E;

(d) enter an Order granting and authorizing the installation of the third mainline track at Western Avenue and the modification to its traffic control devices as proposed in the Petition and Exhibit F;

(e) determine that the traffic control devices as reflected in Exhibits B-F are sufficient and adequate to protect the travelling public with respect to the lengthened or modified at-grade crossings at Broadway Street, Chatham Street and Western Avenue; and

(f) direct that 100% of the cost of the proposed modifications to the Broadway Street, Chatham Street and Western Avenue at-grade crossings, and their respective traffic control devices, be borne by Petitioner The Baltimore and Ohio Chicago Terminal Railroad Company, except to the extent that The Baltimore and Ohio Chicago Terminal Railroad Company can get other parties to contribute to the proposed modifications to the traffic control devices at the Broadway Street crossings other than the cost for moving the existing furthest east cantilevered automatic flashing light signal and gate warning device.

Respectfully submitted,

THE BALTIMORE AND OHIO CHICAGO
TERMINAL RAILROAD COMPANY

By: 

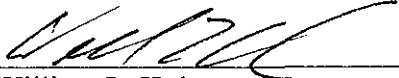
William L. Kuhn

Dated: February 13, 2003.

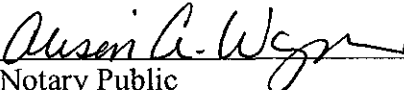
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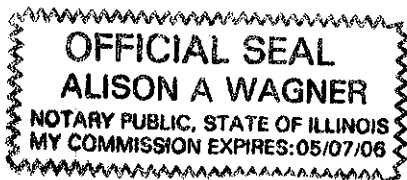
VERIFICATION

William L. Kuhn, attorney for The Baltimore and Ohio Chicago Terminal Railroad Company, being duly sworn states that he has read the foregoing Petition, and that the statements contained therein are true and correct to the best of his knowledge.


William L. Kuhn

Subscribed and sworn to before me this
13th day of February, 2003.


Notary Public



VERIFICATION OF SERVICE

The Undersigned verifies that he caused to be served on the Illinois Commerce Commission via Federal Express the foregoing Notice of Filing and Petition, including Exhibits, with service made on the following recipients via first class mail, on this 13th day of February, 2003:

Grand Trunk Western Railroad, Inc.

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William L. Kuhn

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DOT 163-415-H).)


NOTICE OF FILING

To: Attached Service List

PLEASE TAKE NOTICE that on this 13th day of February, 2003, I have filed via Federal Express with the Illinois Commerce Commission a Petition by The Baltimore and Ohio Chicago Terminal Railroad Company, including Exhibits, a copy of which is hereby served upon you.

Respectfully submitted,

THE BALTIMORE AND OHIO CHICAGO
TERMINAL RAILROAD COMPANY

By: 
William L. Kuhn

Dated: February 13, 2003.

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ATTACHMENT/EXHIBIT

**ITEM TOO LARGE TO SCAN
COPY AVAILABLE FROM FORMAL FILE**